

4-19-01

EXPRESS MAIL NO.: EL403505397US
 ATTORNEY DOCKET NO. 19133.0006U3
 SERIAL NO. Unassigned
 PAGE 1 OF 3

04/18/01
 Jc490
 U.S. P.T.O.

CONTINUING APPLICATION TRANSMITTAL FORM
 (37 C.F.R. § 1.53(b))

ANTICIPATED CLASSIFICATION OF THIS APPLICATION:

PRIOR APPLICATION: 09/482,897
 and 09/492,637

CLASS:

SUBCLASS:

EXAMINER: Unassigned

ART UNIT: 1771

To the Assistant Commissioner for Patents:

This is a request for filing a Continuation-in-Part application under 37 C.F.R. § 1.53(b), of pending prior application Serial No. 09/482,897 filed on January 14, 2000, and application Serial No. 09/492,637 filed January 27, 2000, of Julie B. Brumbelow, Von L. Moody and Marvin L. Saylors for "CARPET WITH A POLYMER LAYER."

If any extension of time is necessary for the filing of this application, including any extension of time necessary in the prior application for maintaining copendency between the prior application and this application, and such extension has not otherwise been requested, Applicant hereby petitions for such an extension in the prior application.

1. Enclosed is a specification as prescribed by 35 U.S.C. § 112 containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75, and any drawing required by § 1.81(a).

2. The inventor(s) of the invention being claimed in this application is(are): Julie B. Brumbelow, Von L. Moody and Marvin L. Saylors

3A. ☐ This application is a continuation or divisional application (not a continuation-in-part) that:

- (i) names as inventors the same or fewer than all of the inventors named in the prior application; and
- (ii) contains no matter that would have been new matter in the prior application; and
- (iii) a copy of the executed oath or declaration filed in the prior application, showing the signature or an indication thereon that it was signed:

☐ is enclosed.

☐ will follow.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.53(d)(4), the Commissioner is requested to delete the name(s) of the following persons who are not inventors of the invention being claimed in this application:

--OR--

3B. ☒ This application is a continuation-in-part application, or a continuation or divisional application naming an inventor not named in the prior application. A newly executed oath or declaration:

☐ is enclosed.

☒ will follow.

4. ☐ Amend the Title of the Invention as follows:

5. ☒ Amend the specification by inserting before the first line the sentence:

This application is a continuation-in-part of, and claims the benefit of, Application Serial No. 09/482,897, filed January 14, 2000, and Application Serial No. 09/492,637, filed January 27, 2000, which status is pending, which applications are hereby incorporated herein in its entirety by reference.

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6.	<input type="checkbox"/>	Priority of foreign application number , filed on in is claimed under 35 U.S.C. § 119.																																			
	<input type="checkbox"/>	The certified copy has been filed in prior application Serial No. , filed on .																																			
7.	<input type="checkbox"/>	Cancel in this application original claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)																																			
8.	<input type="checkbox"/>	A preliminary amendment is enclosed.																																			
9.	<input checked="" type="checkbox"/>	New formal drawings are enclosed (3 pages).																																			
10.	<input checked="" type="checkbox"/>	Also enclosed is/are: Authorization to Treat Reply Requiring Extension of Time As Incorporating Petition for Extension of Time and Payment of Extension of Time Fee; stamped postcard; and Certificate of Express Mailing No. EL403505397US dated April 18, 2001.																																			
11.	<input checked="" type="checkbox"/>	The prior application is assigned of record to: Shaw Industries, Inc.																																			
12.	<input type="checkbox"/>	Applicant claims small entity status. See 37 C.F.R. § 1.27.																																			
13.	The filing fee is calculated as follows:																																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">TOTAL CLAIMS</td> <td style="width: 20%;">39 - 20 =</td> <td style="width: 20%;">19</td> <td style="width: 20%;">x \$18.00</td> <td style="width: 20%;">\$ 342.00</td> </tr> <tr> <td>INDEPENDENT CLAIMS</td> <td>2 - 3 =</td> <td>0</td> <td>x \$80.00</td> <td>\$.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (IF APPLICABLE) =</td> <td>+ \$270.00</td> <td>\$.00</td> </tr> <tr> <td colspan="4">BASIC FEE =</td> <td>\$ 710.00</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$1052.00</td> </tr> <tr> <td colspan="4">REDUCTION BY ½ FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. § 1.9, § 1.27, § 1.28)</td> <td>\$.00</td> </tr> <tr> <td colspan="4">TOTAL NATIONAL FEE =</td> <td>\$1052.00</td> </tr> </table>			TOTAL CLAIMS	39 - 20 =	19	x \$18.00	\$ 342.00	INDEPENDENT CLAIMS	2 - 3 =	0	x \$80.00	\$.00	MULTIPLE DEPENDENT CLAIM(S) (IF APPLICABLE) =			+ \$270.00	\$.00	BASIC FEE =				\$ 710.00	TOTAL OF ABOVE CALCULATIONS =				\$1052.00	REDUCTION BY ½ FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. § 1.9, § 1.27, § 1.28)				\$.00	TOTAL NATIONAL FEE =				\$1052.00
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TOTAL NATIONAL FEE =				\$1052.00																																	
14.	<input checked="" type="checkbox"/>	A check in the amount of \$1052.00 is enclosed.																																			
15.	<input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any fees which may be required under 37 C.F.R. § 1.16 and § 1.17, or credit any overpayment to Deposit Account No. 14-0629.																																			
16.	<input checked="" type="checkbox"/>	<p>The Power of Attorney in the prior application is to: Needle & Rosenberg, P.C.</p> <p style="margin-left: 40px;">a. <input checked="" type="checkbox"/> The Power of Attorney appears in the original papers in the prior application.</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> Since the Power does not appear in the original papers, a copy of the power in the prior application is enclosed.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> Address all future correspondence to: (May only be completed by applicant, or attorney or agent of record.)</p> <p style="text-align: right; margin-right: 40px;">Jacqueline M. Hutter, Esq. NEEDLE & ROSENBERG, P.C. Suite 1200, The Candler Building 127 Peachtree Street, N.E. Atlanta, GA 30303-1811</p>																																			

17. I hereby verify that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like are made punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Jacqueline M. Hutter
REG. NO. 44,792


SIGNATURE

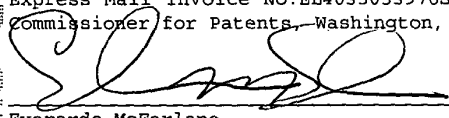
4/18/01
DATE

- ☐ Inventor(s)
- ☐ Assignee of complete interest
- ☒ Attorney or agent of record
- ☐ Filed under 37 C.F.R. § 1.34(a)
(Registration No. is acting under 37 C.F.R. § 1.34(a):

EXPRESS MAIL NO. EL403505397US

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Invoice No. EL403505397US in an envelope addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231, on the date shown below.


Everardo McFarlane

4-18-01
DATE

04/18/01



JC490 U.S. PTO

ATTORNEY DOCKET NO. 19133.0006U3
PATENT

JC986 U.S. PTO
09/837122
04/18/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Brumbelow et al.)	
)	
Serial No.: Unassigned)	Group Art Unit: 1771
)	
Filed: Concurrently)	Examiner: Unassigned
)	
For: "CARPET WITH A POLYMER LAYER")	

**AUTHORIZATION TO TREAT REPLY REQUIRING EXTENSION OF TIME
AS INCORPORATING PETITION FOR EXTENSION OF TIME
AND PAYMENT OF EXTENSION OF TIME FEE**

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

NEEDLE & ROSENBERG, P.C.
Suite 1200, The Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303-1811

April 18, 2001

Sir:

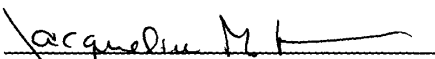
Pursuant to 37 C.F.R. § 1.136(a)(3), the Commissioner is hereby requested and authorized to treat any concurrent or future reply in the above-identified application, requiring a petition for an extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time.

**ATTORNEY DOCKET NO. 19133.0006U3
PATENT**

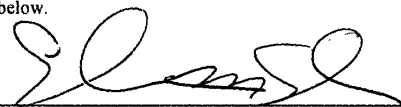
The Commissioner is also authorized to charge all required extension of time fees under 37 C.F.R. § 1.17 to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.


Jacqueline M. Hutter
Registration No. 44,792

NEEDLE & ROSENBERG, P.C.
Suite 1200, The Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303-1811
(404) 688-0770

<u>CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, No. EL403505397US in an envelope addressed to: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231, on the date shown below.	
 Everardo McFarlane	<u>4-18-01</u> Date